

IN RE: PETITION FOR ZONING VARIANCE
SE/Corner German Hill Road and
McComas Avenue
(105 German Hill Road)
12th Election District
7th Councilmanic District
Michael Siano, et ux
Petitioners

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 93-139-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Zoning Variance filed by the legal owners of the subject property, Michael and Patricia Siano. The Petitioners request relief from Sections 101 and 400.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an existing accessory structure (detached garage) to be larger than the principle dwelling and to permit an accessory structure height for said garage of 17.1 feet in lieu of the maximum permitted 15 feet, all as more particularly described on Petitioner's Exhibit 1.

The Petitioners, Michael and Patricia Siano, appeared and testified unrepresented at the hearing. Appearing and testifying as a Pro-secu-tant in the matter was Karl Meinecke. Mr. Meinecke resides in Towson, but appeared on behalf of his sister who lives at 2500 McComas Avenue, the immediately adjoining property to the subject site.

Testimony indicated that the subject property, known as 105 German Hill Road, consists of 6,014 sq.ft. zoned D.R. 5.5 and is improved with a two-story frame dwelling and a two-story garage, which is the subject of the Petition filed. Mr. Siano testified that he purchased the subject property approximately one year ago as an investment. Testimony indicated that Mr. Siano resides only a few doors down from the subject site at 109 German Hill Road. Mr. Siano testified that he spent a considerable sum of

money renovating the existing dwelling for conversion into rental property. Testimony indicated that at the time of his purchase, there existed an old garage which Mr. Siano subsequently had removed and replaced with the existing structure. Mr. Siano testified that he hired P. J. Mameth & Son, Building Contractors, to construct the new garage. He testified that the Contractor applied for the building permit which specifically provided for the construction of a two-car detached garage with the dimensions of 30 feet by 30 feet by 18 feet in height. That permit was reviewed by all of the necessary departments of Baltimore County, including the Zoning Admin-istration Office. The building contractor had a valid permit for the garage and built it according to the specifications set forth thereon.

No complaints were filed while the garage was being constructed. However, Leonard Wasilewski, Zoning Inspector, happened to drive past the property during a routine inspection of the area and noticed the height of the garage. Upon measuring the structure, he surmised that the garage height was taller than the 15 feet permitted by the B.C.Z.R. Pursuant to his actions, the Petitioners filed the instant Petition to legalize the garage or seek a variance for same. Again it should be stressed that the Petitioner's contractor had a valid Baltimore County Building Permit for a structure 18 feet in height.

Mr. Siano testified that he intends to use the subject garage for storage of personal items as well as his automobiles. He emphatically stated that the second level of the garage would only be used for storage and that he has no intentions of providing an apartment within the garage, nor does he intend to use the garage as office space or for the storage of any of his vending machines. Testimony indicated that Mr. Siano is in the

business of locating and distributing vending machines in and around Balti-more County.

Mr. Meinecke testified in opposition to the Petitioners' request. He stated that he and the community are opposed to such a large structure being located on this lot. He also stressed the concern of the neighbors over the possibility of a second dwelling unit being created therein or the garage being used as a warehouse or commercial office. Mr. Meinecke stated that the community would like to see the peak of the garage reduced by 2'1" to bring it into compliance with the Zoning regulations. This would necessitate the Petitioner having to remove a major portion of the roof and restructuring the roof to lower it 2.1 feet. I do not find this to be a reasonable solution to the situation. It was clear that the Petitioner himself did not participate in securing a building permit for this garage. The structure for which a permit was obtained is what was con-structed on the property. The Petitioner followed the letter of the law prior to and during the construction of this garage. He should not be required to remove a large portion of the roof at this time. Further, the Petitioner should not be penalized for a mistake made by a County employee. It should also be noted that none of the neighbors filed a zoning complaint concerning this garage. As stated earlier, this variance came about as a result of a routine zoning inspection of the area.

Given the size of the structure and the fact that plumbing and electric exist within, it is necessary to restrict its use in order to maintain compliance with the B.C.Z.R. Therefore, several restrictions shall be imposed hereinafter to insure proper use of the garage for resi-dential purposes only.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner and his property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

- 1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
- 2) whether the grant would do substantial injustice to applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief; and
- 3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

It is clear from the testimony that if the variance is granted, such use, as proposed, will not be contrary to the spirit of the B.C.Z.R. and will not result in any injury to the public good.

After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship will result if the variance is not granted. It has been established that special circumstances or conditions exist that are peculiar to the land or struc-ture which is the subject of this variance request and that the require-ments from which the Petitioner seeks relief will unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the variance requested will not cause any injury to the pub-lic health, safety or general welfare. Further, the granting of the Peti-tioner's request is in strict harmony with the spirit and intent of the B.C.Z.R.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the variance requested should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 15th day of December, 1992 that the Petition for Zoning Variance requesting relief from Sections 101 and 400.3 of the Balti-more County Zoning Regulations (B.C.Z.R.) to permit an existing accessory structure (detached garage) to be larger than the principle dwelling and to permit an accessory structure height for said garage of 17.1 feet in lieu of the maximum permitted 15 feet, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that pro-ceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.
- 2) The Petitioners shall not allow or cause the accessory structure to be converted to a second dwell-ing unit and/or apartments. The garage shall contain no living or sleeping quarters, and no kitchen or cooking facilities.
- 3) The Petitioners shall be prohibited from utilizing the subject garage as office or storage space for his business. There shall be no office equipment or vend-ing machines stored in the subject garage.
- 4) The second floor of the subject garage shall be used for storage of personal items only.
- 5) The Petitioners shall be required to install rainpouts around the perimeter of the subject garage to insure that all water runoff from the structure is diverted to the street and away from adjoining prop-erties. This will require the Petitioners installing a drain pipe from the garage out to McComas Avenue.

6) Upon request and reasonable notice, Petitioners shall permit a representative of the Zoning Enforce-ment Division to make an inspection of the subject property to insure compliance with this Order in the event it becomes necessary to do so as a result of a complaint.

7) When applying for a building permit, the site plan and/or landscaping plan filed must reference this case and set forth and address the restrictions of this Order.

TMK:bjb

Timothy M. Rotocco
TIMOTHY M. ROTOCO
Deputy Zoning Commissioner
for Baltimore County

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

Suite 113 Courthouse
400 Washington Avenue
Towson, MD 21204

December 15, 1992

(410) 887-4386

Mr. & Mrs. Michael Siano
109 German Hill Road
Baltimore, Maryland 21222

RE: PETITION FOR ZONING VARIANCE
SE/Corner German Hill Road and McComas Avenue
(105 German Hill Road)
12th Election District - 7th Councilmanic District
Michael Siano, et ux - Petitioner
Case No. 93-139-A

Dear Mr. & Mrs. Siano:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Zoning Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavor-able, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact Ms. Charlotte Radcliffe at 887-3351.

Very truly yours,

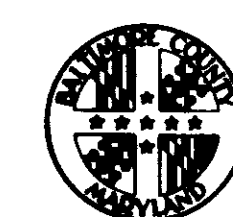
Timothy M. Rotocco
TIMOTHY M. ROTOCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjb

cc: Mr. Thomas E. Phelps
945 Barron Avenue, Baltimore, Md. 21221

Mr. Karl Meinecke
922 Southernly Road, Apt. 3, Towson, Md. 21286

People's Counsel
File



Petition for Variance
to the Zoning Commissioner of Baltimore County

for the property located at 109 German Hill Road

which is presently zoned DR-5.5

This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned, legal owner(s) of the property situated in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 101, 400.3

To allow an accessory structure (detached garage) to be larger than the principle structure and to allow height of 17.1' for the structure in lieu of the maximum permitted 15'

1. The building contractor made an error in the height of the bldg. when he erected it
2. A building permit was issued for a 30' x 30' x 18' garage to be erected on said lot.
3. it would cause undue hardship and cost to remove and rebuild.

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contact Person/Persons:

Legal Owner(s):

(Type or Print Name)

Signature

Address

City

State

Zip

Agency for Petitioner

(Type or Print Name)

Signature

Address

City

State

Zip

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Legal Owner(s):

Signature

Address

City

State

Zip

Agency for Petitioner

(Type or Print Name)

Signature

Address

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State

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Agency for Petitioner

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Agency for Petitioner

(Type or Print Name)

Signature

146
Zoning Description 93-139-A
for 109 German Hill Rd.

Beginning at a point on the south-
east corner of German Hill Rd. & McComes Ave.
Being lot No. 64 as shown on the Amended plat
of Part of Gray Manor as recorded in Baltimore
County platbook 12 folio 112 containing 6014 sq. ft.
Also known as 109 German Hill Rd. & located in
the 12th Election District.

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 12th
Posted for: Variance
Petitioner: Michael & Patricia Siano
Location of property: 109 German Hill Rd. & McComes Ave.
Location of Sign: Public Roadway, on property of petitioner
Remarks:
Posted by: [Signature]
Number of Signs: 1
Date of Posting: 11/19/92
Date of return: 11/24/92

CERTIFICATE OF PUBLICATION

TOWSON, MD., 115, 1992
THIS IS TO CERTIFY, that the annexed advertisement was
published in THE JEFFERSONIAN, a weekly newspaper published
in Towson, Baltimore County, Md., once in each of 1 successive
weeks, the first publication appearing on 11/5, 1992

THE JEFFERSONIAN,

S. Zeke Olson
Publisher

Baltimore County
Zoning Administration &
Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204

receipt

Date: 10-23-92
Tom Phelps
for
Residential Variance - filing fee \$50.00
109 German Hill Rd.
21222

Please Make Checks Payable To: Baltimore County

Baltimore County
Zoning Administration &
Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204

receipt

Date: 10-26-92
PAID PER HAND-WRITTEN RECEIPT DATED 10/23/92
93-139-A

10/26/92 H9200146
PUBLIC HEARING FEES
010 - ZONING VARIANCE (1RL) \$50.00
TOTAL: \$50.00
LAST NAME OF OWNER: SIANO

Baltimore County
Zoning Administration &
Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204

receipt

Date: 93-139
12-4-92 hearing

Please Make Checks Payable To: Baltimore County

Baltimore County Government
Office of Zoning Administration
and Development Management

111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

DATE: 11-6-92

Michael and Patricia Siano
109 German Hill Road
Baltimore, Maryland 21222

RE:
CASE NUMBER: 93-139-A (Item 146)
SIC German Hill Road and McComes Avenue
109 German Hill Road
12th Election District - 7th Councilmanic
Petitioner(s): Michael Siano and Patricia Siano
HEARING: FRIDAY, DECEMBER 4, 1992 at 10:30 a.m. in Rm. 106, Office Building.

Dear Petitioner(s):

Please be advised that \$ 64.11 is due for advertising and posting of the above captioned
property and hearing date.

THIS FEE MUST BE PAID AND THE ZONING SIGN & POST SIGN(S) REMOVED ON THE DAY OF THE HEARING OR THE OWNER
SHALL NOT BE ALLOWED TO REMOVE THE SIGN & POST SIGN(S) FROM THE PROPERTY UNTIL THE DAY OF THE HEARING.

Please forward your check via return mail to the Zoning Office, County Office Building, 111 W.
Chesapeake Avenue, Room 109, Towson, Maryland 21204. Place the case number on the check and make same
payable to "Baltimore County, Maryland". In order to avoid delay of the issuance of proper credit and/or
your order, immediate attention to this matter is suggested.

[Signature]
ARNOLD JABLON
DIRECTOR

Baltimore County Government
Office of Zoning Administration
and Development Management

111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

OCT. 29 1992

NOTICE OF HEARING

The Zoning Commission of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore
County will hold a public hearing on the property identified herein in
Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204
or
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 93-139-A (Item 146)
SIC German Hill Road and McComes Avenue
109 German Hill Road
12th Election District - 7th Councilmanic
Petitioner(s): Michael Siano and Patricia Siano
HEARING: FRIDAY, DECEMBER 4, 1992 at 10:30 a.m. in Rm. 106, Office Building.

Variance to allow an accessory structure (detached garage) to be larger than the principal structure and
to allow height of 17.1 feet for the structure in lieu of the maximum permitted 15 feet.

[Signature]
Lawrence E. Schmidt
Zoning Commissioner of
Baltimore County

cc: Michael and Patricia Siano
Thomas E. Phelps

NOTE: HEARINGS ARE UNDETERMINED ACCORDING TO SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.

Baltimore County Government
Office of Zoning Administration
and Development Management

111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

November 23, 1992

Mr. and Mrs. Mike Siano
109 German Hill Road
Baltimore, MD 21222

RE: Case No. 93-139-A, Item No. 146
Petitioner: Mike Siano, et ux
Petition for Variance

Dear Mr. and Mrs. Siano:

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans
submitted with the above referenced petition. The attached comments
from each reviewing agency are not intended to indicate the
appropriateness of the zoning action requested, but to assure that all
parties, i.e. Zoning Commissioner, attorney and/or the petitioner, are
made aware of plans or problems with regard to the proposed
improvements that may have a bearing on this case.

Enclosed are all comments submitted thus far from the members of ZAC
that offer or request information on your petition. If additional
comments are received from other members of ZAC, I will forward them
to you. Otherwise, any comment that is not informative will be placed
in the hearing file. This petition was accepted for filing on the
date of the enclosed filing certificate and a hearing scheduled
accordingly.

The following comments are related only to the filing of future
zoning petitions and are aimed at expediting the petition filing
process with this office.

1) The Director of Zoning Administration and Development
Management has instituted a system whereby seasoned zoning
attorneys who feel that they are capable of filing petitions that
comply with all aspects of the zoning regulations and petitions
filing requirements can file their petitions with this office
without the necessity of a preliminary review by Zoning personnel.

Baltimore County Government
Office of Zoning Administration
and Development Management

111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

Your petition has been received and accepted for filing this
23rd day of October, 1992.

[Signature]
ARNOLD JABLON
DIRECTOR

Received By:

W. Carl Richards Jr.
Chairman,
Zoning Plans Advisory Committee

Petitioner: Mike Siano, et ux
Petitioner's Attorney:



O. James Lighthizer
Secretary
Hal Kassoff
Administrator

Ms. Julie Winiarski
Zoning Administration and
Development Management
County Office Building
Room 109
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: **Baltimore County**
Item No.: **£ 146 (JJS)**

Dear Ms. Winiarski:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration projects.

Please contact David Ramsay at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

David N Ramsey 10/30/92
John Contestabile, Chief
Engineering Access Permits
Division

Rec'd 11/5/92

My telephone number is _____

Teletypewriter for Impaired Hearing or Speech
383-7555 Baltimore Metro - 565-0451 D.C. Metro - 1-800-492-5062 Statewide Toll Free
707 North Calvert St., Baltimore, Maryland 21203-0717

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration and
Development Management

DATE: November 5, 1992

FROM: Ervin Mc Daniel, Chief
Office of Planning and Zoning
Development Review Section

SUBJECT: Petitions from Zoning Advisory Committee
(November 2, 1992)

The Office of Planning and Zoning has no comments on the following petition(s):

Steven and Nadine Mosgin, Item No. 129
Kathleen Geiser, Item No. 135
Richard Shetron and Jay Boyd, Item No. 137
John and Barbara Taylor, Item No. 139
Jose & Janice Lopey, Item No. 141
Nick and Koula Proskis, Item No. 143
Daniel and Sharon Woolfrey, Item No. 144
Mark and Deborah Cleaver, Item No. 145
Mike and Patricia Siano, Item No. 146
Randall and Dorothy Pettie, Item No. 147

If there should be any further questions or if this office can provide additional information, please contact Francis Morsey in the Office of Planning at 887-3211.

Prepared by: Francis Mowen

Division Chief: *Ervin McDaniel*

EMcD/FM: rdn

129. ZAC/ZACT

93-139-A

Department of Environmental Protection & Resource Management 11/23/92
Development Review Committee Response Form
Authorized signature [Signature] Date 11-24-92

11/23/97
1.24-97

Project Name	File Number	Waiver Number	Zoning Issue	Meeting Date
✓ Fred C. and Soung O. Yoo			138	11-2-92
DEPRM RP STP				NO COMMENTS
✓ John and Barbara Taylor			139	
DEPRM RP				NO COMMENTS
✓ Jose and Janice S. Lopez			141	
DEPRM RP				NO COMMENTS
✓ Russell L. Elliott			142	
DEPRM RP				NO COMMENTS
Nick J. and Koula I. Proakis			143	
DEPRM RP				IN PROCESS
✓ Daniel T. and Sharon L. Wolfrey			144	
DEPRM RP				NO COMMENT
✓ Mark N. and Deborah A. Cleaver			145	
DEPRM RP				NO COMMENTS
✓ Mike and Patricia Siano			146	
DEPRM RP				NO COMMENTS
Dorothy and Randall Pettie			147	
DEPRM RP				IN PROCESS

COUNT 14

Anthony J. and Susan M. DiBartolomeo

Irving R. and Joyce L. Bauer

Andrew I. David

140

WRITTEN COMMENTS

150

WESTERN COMPANIES

NAME: 6104342
 RECEIPT: 14
 NUMBER: 14
 NAME: 14
 NAME: 14
 PER: 25-14432
 PAID: 14432
 PAID IN: 14432
 INSURANCE: 14432
 I HAVE CONSIDERED THIS AND AGREE
 TO BE BOUND BY THE TERMS OF THIS
 AND THAT I HAVE NO OTHER AGREEMENTS
 OF THE SAME NATURE WITH ANY PERSON
 OR PERSONS WHOSE INTERESTS MAY BE
 CHALLENGED WHEN THESE TERMS ARE ENFORCED
 OR NOT ENFORCED BY THE COURT.
 SIGNATURE: _____
 BUILDING 1 or 2 FIVE
 CODE _____
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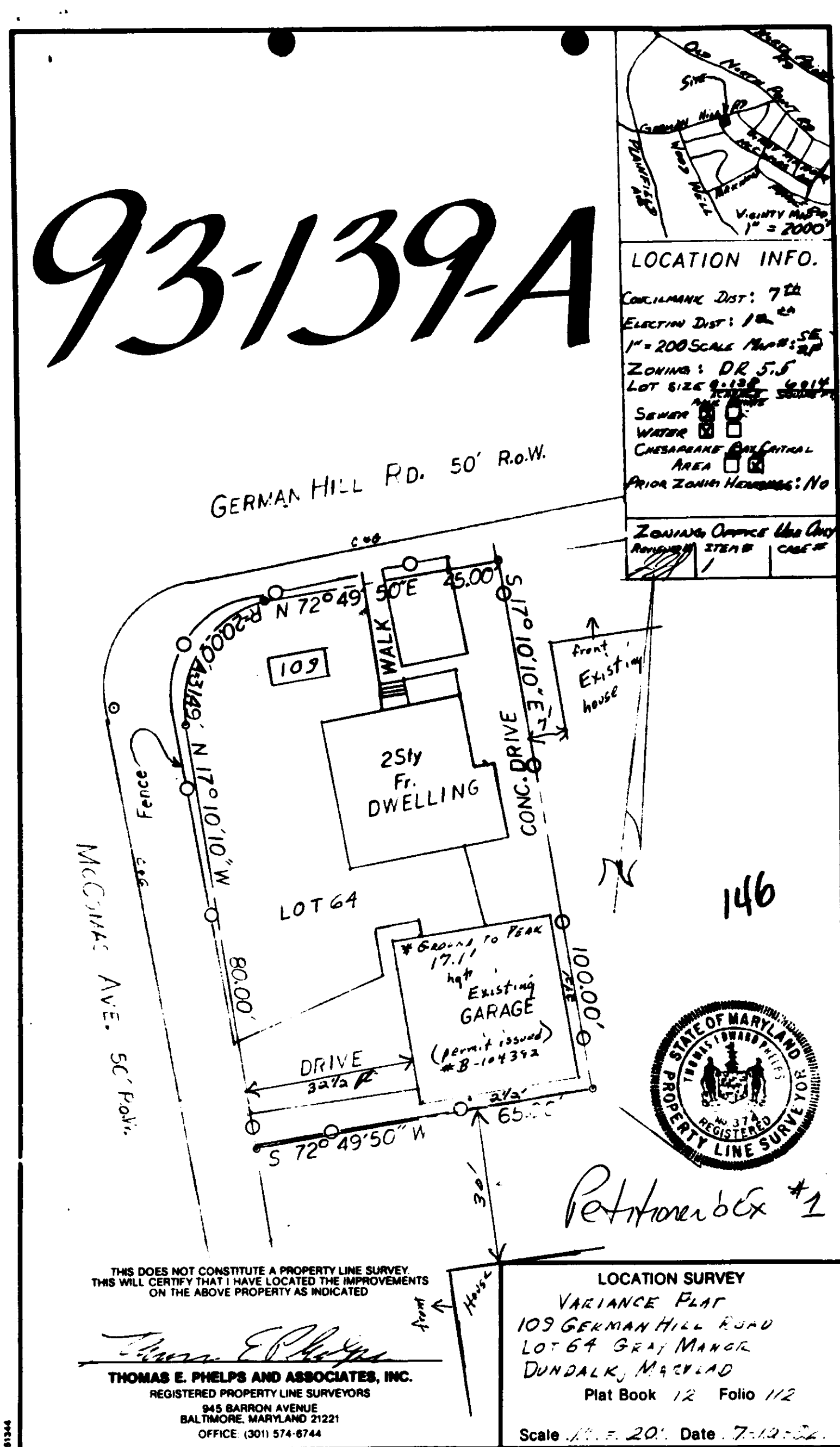
PETITIONER(S) SIGN-IN SHEET

NAME _____

ADDRESS

Michael B. Davis

105 GERMAN HILL RD BRIDGE MD



Petitioner's Ex #2

93-139-A

146

TIME: 10:05:29 DATE: 08/29/91

AUTOMATED PERMIT TRACKING SYSTEM APPROVALS DETAIL SCREEN

PANEL BP1018M LAST UPDATE: 08/29/91 13:31:27

PERMIT #: B104392 AGENCY: DATE: 08/29/91 CODE: 01 COMMENTS: DS/DLS (P)

01 THRU 09 INDICATES AN "APPROVAL" ** 10 THRU 99 INDICATES A "DISAPPROVAL"

ENTER - NEXT APPROVAL PF4 - ISSUE PERMIT CLEAR - MENU

93-139-A

APPLICATION FOR BUILDING PERMIT

PERMIT #: B104392 CONTROL #: MR DIST: 12 PREC: 05

LOCATION: 109 GERMAN HILL RD

SUBDIVISION: GRAY MANOR

TAX ASSESSMENT #: 1203067345

OWNERS INFORMATION

NAME: STAND, MIKE & PATRICIA

ADDR: 109 GERMAN HILL RD. 21222

APPLICANT INFORMATION

NAME: PAUL J. NEMETH SR.

COMPANY: P.J. NEMETH & SON

ADDR1: 43 N. KRESSON ST.

ADDR2: ALTO, MD. 21224

PHONE #: 288-1645 LICENSE #: 34759

NOTES

VLC/DLS

TRACT: CONST 0 BLOCK: 1

PLANS: CONST 0 PLOT 1 R PLAT 0 DATA 0 ELEC YES PLUM YES

TENANT: P.J. NEMETH & SON

ENGR: SELLER

WORK: CONSTRUCT 2 CAR DETACHED GARAGE IN REAR YARD. 30'X30'X10' REFER TO B100426 FOR RAZING OF OLD GARAGE. THIS PERMIT CANCELS B100427. CHANGE IN SITE & CONSTR. PERMIT WILL EXPIRE 7/25/92.

PROPOSED USE: SFD & DET. GARAGE

EXISTING USE: SFD

BLDG. CODE: 1 AND 2 FAM. CODE

RESIDENTIAL CATEGORY: DETACHED OWNERSHIP: PRIVATELY OWNED

ESTIMATED COST OF MATERIAL AND LABOR: 20,000.00

TYPE OF IMPRV: NEW BUILDING CONSTRUCTION

USE: GARAGE

FOUNDATION: BLOCK BASEMENT: NONE

SEWAGE: PUBLIC EXIST WATER: PUBLIC EXIST

CONSTRUCTION: WOOD FRAME FUEL:

CENTRAL AIR:

SINGLE FAMILY UNITS

TOTAL 1 FAMILY BEDROOMS

MULTI FAMILY UNITS

EFFICIENCY (NO SEPARATE BEDROOMS): NO. OF 1 BEDROOM:

NO. OF 2 BEDROOMS: NO. OF 3 BEDROOMS OR MORE:

TOTAL NO. OF BEDROOMS: TOTAL NO. OF APARTMENTS:

PERMIT #: B104392

DIMENSIONS - INSTALL FIXTURES

GARAGE DISP: BUILDING SIZE

POWDER ROOMS: FLOOR: 900

BATHROOMS: WIDTH: 30

KITCHENS: DEPTH: 30

STORIES: 1

LOT NOS. 0064

CHANGE LOT: Y

ZONING INFORMATION

DISTRICT: BLOCK:

PETITION: SECTION:

DATE: LIBER: 12

MAP: FOLIO: 112

CLASS: 04

ASSESSMENTS

LAND: 0022950.00

IMPROVEMENTS: 0053100.00

TOTAL ASS.:

PLANNING INFORMATION

MASTER PLAN AREA: SUBSEWERSHED: CRITICAL AREA:

DATE APPLIED: 08/29/91 INSPECTOR INITIALS: JG

FEE: \$25.00 PAID: \$25.00 RECEIPT #: A134736

PAID BY: APP.

I HAVE CAREFULLY READ THIS APPLICATION AND KNOW THE SAME IS CORRECT AND TRUE, AND THAT IN DOING THIS WORK ALL PROVISIONS OF THE BALTIMORE COUNTY CODE AND APPROPRIATE STATE REGULATIONS WILL BE COMPLIED WITH WITHIN THE HEREIN SPECIFIED OR NOT AND WILL REQUEST ALL REQUIRED INSPECTIONS

COMPANY OR OWNER DATE

BALTIMORE COUNTY, MARYLAND

DEPARTMENT OF PERMITS AND LICENSES

TOWSON, MARYLAND 21204

BUILDING PERMIT

PERMIT #: B104392 CONTROL #: MR DIST: 12 PREC: 05

DATE ISSUED: 08/29/91 TAX ACCOUNT #: 1203067345 CLASS: 04

PLANS: CONST 0 PLOT 1 R PLAT 0 DATA 0 ELEC YES PLUM YES

LOCATION: 109 GERMAN HILL RD

SUBDIVISION: GRAY MANOR

OWNERS INFORMATION

NAME: STAND, MIKE & PATRICIA

ADDR: 109 GERMAN HILL RD. 21222

TENANT: P.J. NEMETH & SON

CONTR: SELLER

WORK: CONSTRUCT 2 CAR DETACHED GARAGE IN REAR YARD. 30'X30'X10' REFER TO B100426 FOR RAZING OF OLD GARAGE. THIS PERMIT CANCELS B100427. CHANGE IN SITE & CONSTR. PERMIT WILL EXPIRE 7/25/92.

BLDG. CODE: 1 AND 2 FAM. CODE

RESIDENTIAL CATEGORY: DETACHED OWNERSHIP: PRIVATELY OWNED

ESTIMATED \$ PROPOSED USE: SFD & DET. GARAGE

20,000.00 EXISTING USE: SFD

TYPE OF IMPRV: NEW BUILDING CONSTRUCTION

USE: GARAGE

FOUNDATION: BLOCK BASEMENT: NONE

SEWAGE: PUBLIC EXIST WATER: PUBLIC EXIST

LOT SIZE AND SETBACKS

SIZE: 060/065X100/095

FRONT STREET

SIDE STREET

FRONT SETB: NC

SIDE SETB: 3'/27'

SIDE STR SETB

REAR SETB: 3'

93-139-A

Pet Ex #3

93-139-A

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93-139-A

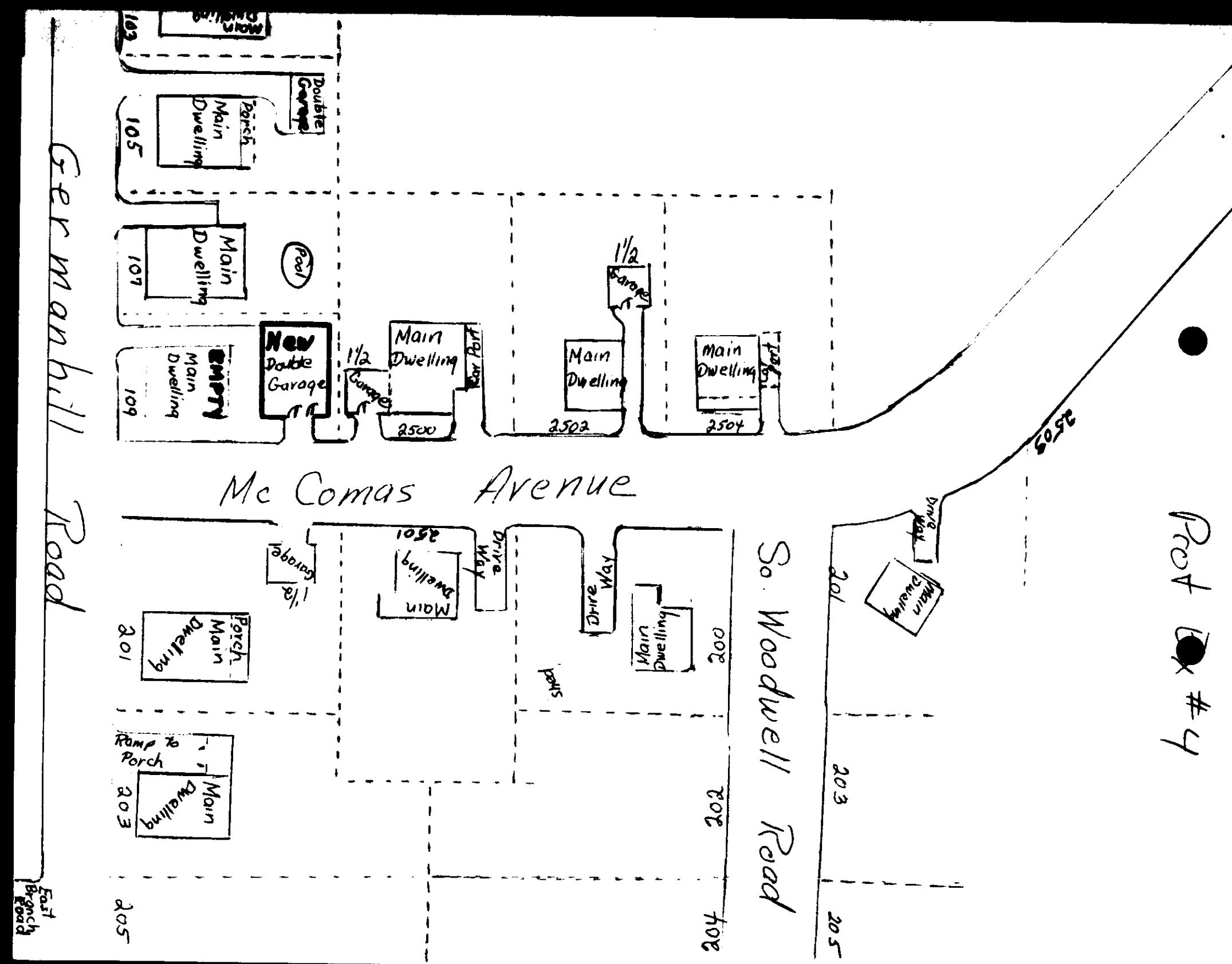
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Prot Ex #3

November, 1992

The following people object to the size of the two(2) car garage built on the property at 109 German Hill Road, that faces McComas Avenue, and request that the variance be denied:

- | Name | Address |
|-------------------------------|---------------------------|
| 1. Darlene & Verneta Plesley | 2001 McComas Ave 21222 |
| 2. Frank & Violet Gray | 7504 McComas Ave 21222 |
| 3. Patricia A. Scott | 205 S. Woodwell Rd. 21222 |
| 4. Curie & Lionel Harvey | 2502 McComas Avenue 21222 |
| 5. Kathryn & Donald Heller | 201 S. Woodwell Rd 21222 |
| 6. Mary & Raymond Phoebe | 2500 McComas Ave 21222 |
| 7. Julia S. Cooper | 2048 Woodwell Rd 21222 |
| 8. Mildred Jagdhuber | 203 S. Woodwell Rd 21222 |
| 9. Myra & R. Barrett | 202 S. Woodwell Rd 21222 |
| 10. Virginia & John Dobryzski | 200 S. Woodwell Rd 21222 |
| 11. Jo Anne Adams | 2500 McComas Ave |



Letter to represent Tracy (sister)

Prot Ex #1

2500 McComas Avenue
Baltimore, Maryland 21222
December 3, 1992

To Whom It May Concern:

Mr. Carl F. Menick, my brother, will be representing me on December 4, 1992. We, Mr. & Mrs. Raymond C. Phoebe of 2500 McComas Avenue will be keeping our 12 noon Neurologist appointment. You wait six weeks for these appointments, so we felt we could not cancel. Mr. Phoebe will be seeing Dr. Christopher J. Newman M.D., P.A. at the Perry Hall Professional Center at 9712 Belter Road.

Sincerely,
Mrs. Mary E. Phoebe

Prot Ex 2A

2B

No. 1 Request denial of variance

No. 2 Request denial of variance Neighbor

Letter # 3

No. 4 Request denial of variance Neighbor

November 30, 1992

No. 4 Request denial of variance Neighbor

December, 1992

To Whom It May Concern:

My main objection is because of the height of the garage which shades the whole side of my house. Without any sun snow and ice will not melt. My husband has Parkinson and has difficulty in getting around. We exit our garage by the back door to walk a path to the house. The lack of sunshine effects the melting of any snow or ice.

My second concern to this huge garage is because of the rain water run-off. Such a large building gathers a good bit of rain which runs off from the rain spout on my side of the garage. Water puddles form all along the side of my property, causing dampness and mildew to my garage. These puddles will be affected by the lack of sun and will freeze too.

Looks alone tells you the building is too big. The permit is for a two car garage. How why does it have a private electrical meter, plumbing, stairway to a fully floored up-stairs, insulated and dry-walled bathroom and six bubble sky lights on the roof. Does this look like it's going to be an ordinary

To Whom It May Concern,

Living on the other side of the street, all you can see is this huge building. It is as large if not larger than the main house on the lot. It is squeezed on a piece of ground that is not another lot, just the back yard of the original building. It makes our neighborhood dwelling look in appearance. It looks like a business warehouse.

When I look out of my front door I see the other houses in our neighborhood, and the addition they have added there are many improvements & additions but all are made to improve the look and appearance of the community. This building is way to high and too big. I ask that the variance be denied, and the building be lowered to keep it in proportion to all the other buildings in our neighborhood.

Thank you
Mr. & Mrs. Dobryzski
200 S. Woodwell Rd
Baltimore
21222

To Whom It May Concern:

We are protesting the variance being asked for the two feet, one inch (2'1") extra height on the two car garage located at 109 German Hill Road and facing McComas Avenue. We feel that, since this structure is larger than the house on the same property, and larger than most of the original houses in this area, it would lower the value of our property, should we want to sell it.

Thank you for your consideration in this matter.

Curie M. Harvey
Lionel F. Harvey
2502 McComas Avenue
Baltimore, Maryland
21222

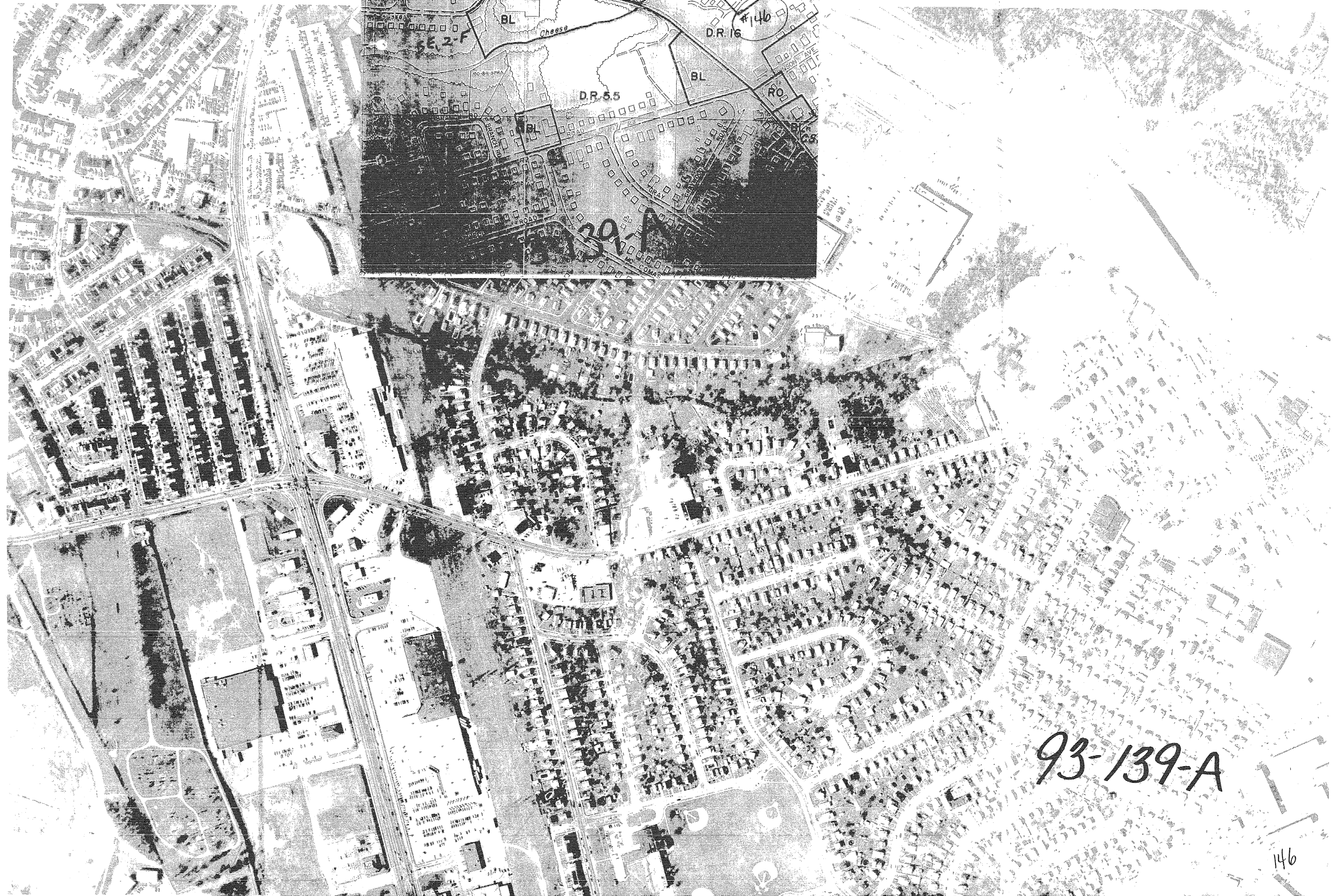
December 1, 1992

To Whom It May Concern:

In regards to the garage located at 109 German Hill Road, my only objection is that I lose approximately one hour of sun light in the late afternoon due to the height of the garage. I have a pool in my back yard which is located near the garage.

Sincerely,

Wayne R. Farneser
Wayne R. Farneser, Sr.
107 German Hill Road



BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP

PREPARED BY AIR PHOTOGRAPHICS, INC.
MARTINSBURG, W.V. 25401

SCALE	LOCATION	SHEET
1" = 200' ±	NORTH POINT	S.E.
DATE OF PHOTOGRAPHY JANUARY 1986	GRAY MANOR	2-F